

(2018) 01 JH CK 0075
In the Jharkhand High Court
Case No : 6452 of 2017

Rahul Kumar @ Rahul Kumar Jaiswal

APPELLANT

Vs

State of Jharkhand through CBI

RESPONDENT

Date of Decision : 07-01-2018

Acts Referred:

[Indian Penal Code, 1860](#), [Section 120B](#), [Section 420](#), [Section 468](#), [Section 471](#), [Section 467](#) - Punishment of criminal conspiracy -

Citation : (2018) 01 JH CK 0075

Hon'ble Judges : Ananda Sen

Bench : Single Bench

Advocate : Indrajeet Sinha, Rajiv Sinha

Judgement

1. Heard learned counsel appearing for the petitioner and the learned counsel for the CBI.
2. The petitioner is an accused for allegedly committing offence punishable under Sections 120B, 420, 467, 468 & 471 of the Indian Penal Code and Section 13 (2) read with 13(1(C) & 13 (1) (d) of P.C. Act.
3. The petitioner is said to be one of the partners of M/s Satya Sai Agencies. The said Agencies quoted the rates for medicines, which were to be purchased by the Department. At the initial stage the quoted rate was reasonable but later on one Rohit Kumar, who is said to be one of the partners of the said Agencies, inflated the rate and conspired with the Government Officials and has bagged the tender. Page nos. 81, 82 & 84 of this application, which are the part of charge sheet, suggest that it is Rohit Kumar, who had quoted the exorbitant rates. Page 84 also suggests that Rohit Kumar had obtained the purchase order on behalf of M/s Satya Sai

Agencies because of underhand deal, he had with Bhanu Pratap Sahi, Siyaram Prasad Sinha and Dr. Pradeep Kumar, who are the Government Officials.

4. It is admitted that said Sri Bhanu Pratap Sahi, Siyaram Prasad Sinha and Dr. Pradeep Kumar have already been enlarged on bail. Further, from page 81-84, it is apparent that it is Rohit Kumar, who had quoted the exorbitant rates.

5. Learned counsel appearing for the CBI opposes the prayer for bail.

6. In view of the aforesaid facts and since the Government Officials, who had purchased the medicines, have already been enlarged on bail, I am

inclined to enlarge this petitioner, who is a partners of M/s Satya Sai Agencies and is in custody since 17.05.2017, on bail. Accordingly, petitioner

namely, Rahul Kumar @ Rahul Kumar Jaiswal is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two

sureties of the like amount each to the satisfaction of the Special Judge, CBI, Ranchi in connection with R.C. Case No. 11A/09 AHD R, subject

to the condition that the petitioner shall appear before the court below on each and every date so fixed in the trial and if he fails to appear even on

a single date, his bail bonds shall stand cancelled and steps for taking him into custody shall be taken by the trial court.

I.A. No. 8256 of 2017

7. In view of the order passed in the main bail application, this interlocutory application renders infructuous.

8. Accordingly, it is dismissed as such.